



COURT FILE NUMBER 1301-04364

COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

APPLICANTS IN THE MATTER OF THE COMPANIES' CREDITORS
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS
AMENDED

AND IN THE MATTER OF POSEIDON CONCEPTS
CORP., POSEIDON CONCEPTS LTD., POSEIDON
CONCEPTS LIMITED PARTNERSHIP AND
POSEIDON CONCEPTS INC.

COURT FILE NUMBER **APPLICATION**

ADDRESS FOR SERVICE
AND CONTACT
INFORMATION
OF THE PARTY
FILING THIS
DOCUMENT

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Client File No.: 11866.66

NOTICE TO RESPONDENT:

This application is made against you. You are a respondent.
You have the right to state your side of this matter before the master/judge.
To do so, you must be in Court when the application is heard as shown below:

Date: **December 13, 2013**

Time: 10:00 a.m.

Where: Calgary Courts Centre, 601 - 5 Street SW, Calgary, AB

Before Whom: Presiding Justice in Chambers

Go to the end of this document to see what else you can do and when you must do it.

Remedy claimed or sought:

1. If necessary, an Order abridging the time for service of this Application and supporting materials and declaring service to be good and sufficient.
2. An Order disallowing the claims of Drift Production Services Ltd. ("Drift") and Trident Oilfield Services Ltd. ("Trident") in whole or in part.
3. An Order directing the release to Rockwater Energy Solutions Inc. of any equipment that continues to be held by either of Drift or Trident.
4. Such further and other relief, advice and directions as counsel may request and this Honourable Court may deem just and appropriate in the circumstances.

Grounds for making this application:

5. In accordance with the Claims Process Order of this Honourable Court granted September 12, 2013 (the "Claims Process Order"), the Monitor has served a Notice of Disallowance, and Drift and Trident have each filed a Notice of Dispute with respect to that Notice, the Possessory Lien Claims of both Trident and Drift are defective and in particular, these parties have not:
 - (a) shown that they have provided any work or material to improve the chattels being held;
 - (b) shown that there was any agreement to store the goods and services;
 - (c) shown that the work and materials they have provided relate to the chattels retained; and
 - (d) demanded storage charges if Poseidon did not remove the equipment.
6. Such further and other grounds as counsel may advise and this Honourable Court may permit.

Material or evidence to be relied on:

7. The pleadings and proceedings filed in the within action, including the Initial Order.

8. The Claims Process Order.
9. The Monitor's Report, to be filed.
10. The inherent jurisdiction of this Honourable Court.
11. Such further and other material as counsel may advise and this Honourable Court may permit.

Applicable rules:

12. None.

Applicable Acts and regulations:

13. The *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36, as amended.

Any irregularity complained of or objection relied on:

14. None.

How the application is proposed to be heard or considered:

15. Oral submissions by counsel in an application in Justice Chambers at a date to be agreed upon.

WARNING

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes.

If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

